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Enhancing the capacity of public administration to implement the United Nations Millennium Declaration

The critical role of public administration and good governance in implementing the United Nations Millennium Declaration: institutional capacity development

Report of the Secretariat

Summary

Effective public administration systems, as well as good governance in general, have a critical role to play in the implementation of the development goals outlined in the United Nations Millennium Declaration. Improving and reforming governance systems and institutions, including strengthening public sector capacity, is crucial for alleviating poverty, making globalization work for all, enhancing citizens' participation at all levels of governance, protecting the environment, promoting sustainable development and preventing and managing violent conflicts. Despite the progress made by many countries in building democratic institutions and protecting human rights, democracies in some regions of the world are still fragile and their institutions are too weak to ensure effective governance. In the light of the above, the objective of the present report is to review priority issues and provide strategic and programmatic recommendations for institutional capacity development, with particular reference to legislative and judicial institutions, central management agencies, public sector management and innovation, local government and decentralization, public participation and partnerships, and institutional instruments of peace and security. Reference is also made to the need to strengthen institutional capacity development to meet the special needs of Africa.

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I. The United Nations Millennium Declaration as a new paradigm for development

1. The United Nations Millennium Declaration provides a vision for the world in the twenty-first century. It is a vision of a peaceful, prosperous and just world, which reaffirms the purposes and principles of the Charter of the United Nations. It reflects the commitment of Member States towards ensuring peace, security and disarmament; promoting development and poverty eradication; protecting our common environment; upholding human rights, democracy and good governance; protecting the vulnerable; and meeting the special needs of Africa. Through the Declaration, heads of State and Government emphasize that as leaders they have a collective responsibility to uphold principles of human dignity, equality and equity at the national and global levels. At the same time, they recognize that particular efforts should be made to protect the most vulnerable. The Declaration stresses that one of the greatest challenges of our times is to ensure that globalization becomes a positive force for all the world's people. That goal cannot be achieved unless there is a concerted effort at the global level to formulate and implement policies and measures which aim to effectively integrate developing countries and countries with economies in transition into the world economy. The Declaration further stresses the need to strengthen the United Nations and to make it a more effective instrument for pursuing all of these priorities (see General Assembly resolution 55/2, para. 29).

2. The report of the Secretary-General on a road map towards the implementation of the Declaration (A/56/326) outlines the potential strategies for action that are designed to meet the goals and commitments made at the Millennium Summit of the General Assembly. It identifies 53 development goals, including 18 specific targets. Drawing on the work of Governments, the entire United Nations system, including the Bretton Woods institutions and the World Trade Organization, intergovernmental organizations, international organizations, regional organizations, and civil society, the road map suggests paths to follow and shares information on best practices which could be helpful in achieving the key objectives and goals of the Declaration. By highlighting issues, strategies, targets and indicators, the road map provides action guidelines for Member States, citizens, communities, regions and international bodies.

3. As stated in the road map, it is crucial that the millennium development goals become national goals and serve to increase the coherence and consistency of national policies and programmes (see A/56/326, para. 81). The critical role of good governance in implementing the above-mentioned goals emerges, either explicitly or implicitly, throughout both the Declaration and the road map towards its implementation. In speaking about governance, however, one should adopt the widest possible definition, which goes well beyond the sometimes narrow interpretation of "political" governance. In fact, governance refers to the exercise of not only political but also economic and administrative authority in the management of a country's affairs at all levels. It encompasses yet transcends the state to include the private sector and civil society organizations. As such, governance refers to the ability to manage the economy, mobilize resources, ensure a degree of social justice, promote an enabling environment for individual pursuits and ensure peace and security.

4. In analysing the role of good governance in the implementation of the Declaration, it is necessary to focus on the cornerstones of the capacity to govern, which include institutional capacity, policy-making capacity, administrative/managerial capacity, human resources development and technological adequacy. One of the main conclusions which can be extrapolated from the Declaration and its goals is that state capacity in the above-mentioned areas is the paramount factor for its successful implementation. Effective democratic governance and an efficient public administration are, arguably, among the most important elements in the promotion of a country's national development agenda. In fact, improving and reforming governance systems and institutions, including strengthening public sector capacity, is critical for addressing a number of issues, such as alleviating poverty, making globalization work for all, enhancing citizens' participation at all levels of governance, protecting the environment, promoting sustainable development, and preventing and managing violent conflicts. As stated in the Millennium Report (see A/54/2000, para. 15), the challenges that we confront today are beyond the reach of any state to meet on its own. At the national level, we must govern better, and at the international level, we must learn to govern better together. Effective States are essential for

both tasks, and their capacity for both needs strengthening.

5. Although governance systems and institutions are relevant, they cannot fulfil their ultimate role unless they are rooted in a coherent value framework. It is important to note that the Declaration represents a major paradigm shift in values in that it upholds the need to foster and strengthen democratic governance at both the national and international levels. It suggests that everyone, especially those who have the power to make public policy choices, refer in this process to a set of values that include freedom, equality, solidarity, tolerance, respect for nature and shared responsibility. Those values should constitute the foundation of government action and be protected by the rule of law and by an independent judiciary. Democracy, which allows people to express their choices and hold Governments accountable for their action, is thus essential in achieving the development goals set out in the road map.

6. Although the belief in certain values is very important, political commitment is also crucial in implementing the goals of the Declaration. As emphasized in the road map States need to demonstrate the political will to carry out commitments already given and to implement strategies already worked out. This will require hard decisions and courageous reforms in all States and all areas of policy from cuts in energy consumption to more transparent and accountable governance and the reallocation of public resources towards projects that benefit the neediest groups in society, as opposed to the most influential (see A/56/326, paras. 7 and 8). There is a direct link between a given set of values, the political will to do certain things and the political commitment to achieve certain objectives, and the results achieved.

7. The Declaration names freedom as the first value among those promoted as core values for the new century. It goes on to define it as freedom from hunger, from fear of violence, from oppression or injustice, from the threat of living on a planet spoilt by human activity. It reflects the commitment of the heads of State and Government to free our peoples from the scourge of war, whether within or between States, as well as to free our fellow men, women and children from the abject and dehumanizing conditions of extreme poverty (see General Assembly resolution 55/2, paras. 6, 8, 11 and 21).

8. Seen from that perspective, the value of freedom, which is at the basis of any democracy, can incorporate all other values suggested by the Declaration, whether as entitlements and capabilities or as rights and freedoms. In particular:

(a) Equality can be seen as freedom from exclusion (especially in the case of women) or as the right to access, to choose the life a person values most;

(b) Solidarity (especially in burden sharing) can be defined as freedom from economic and social injustice;

(c) Tolerance can be depicted as an entitlement to the respect for one's beliefs, culture or language;

(d) Respect for nature can be described as an entitlement to live in a clean environment, or as freedom from suffering from environmental degradation;

(e) Shared responsibility can be equated with the capability to be active in shaping the world's future.

9. The Declaration also refers to the value of solidarity as the vehicle for equal distribution of costs and burdens, in accordance with principles of equity and social justice, stating that those who suffer or who benefit least deserve help from those who benefit most (see General Assembly resolution 55/2, para. 6). The development literature often refers to three kinds of solidarity: among people, among regions and among generations. An important aspect of solidarity is the recognition of and respect for human dignity and creativity. The latter implies that individuals value human solidarity as a way of ensuring that every person has the opportunity to live out his or her creativity to the fullest of its potential.

10. In the light of the above and as a contribution towards the implementation of the goals of the Declaration, the reports of the United Nations Secretariat prepared for the Committee of Experts on Public Administration will concentrate on exploring the many ingredients necessary to foster good governance and will provide recommendations on enhancing public sector capacity to implement the development goals set out in the Declaration. It is important to realize, however, that more specific governance instruments may be required to implement the goals of the Declaration in well-defined sectors, such as health, HIV/AIDS, conflict management and

prevention. For the sake of logical progression, the reports will only partially deal with those more specific sectoral areas, and will concentrate instead on the overarching capacity-building needs of developing countries. It is hoped that the Committee will identify during its first session sectoral areas of analysis which could be pursued at a further stage of the discussion.

11. The objective of the present report is to review priority issues and provide strategic and programmatic recommendations for institutional capacity development. Recommendations concerning capacity development in the areas of human resources, information technology and financial management are contained in three separate reports. Readers should bear in mind the linkage among those complementary capacities since all the dimensions of state capacity are interrelated and essential for ensuring that the state performs its functions in an effective and efficient manner. They are reviewed in separate reports for convenience of discussion only.

II. Reinforcing institutions for a democratic and effective state

12. Despite the progress made by many countries in building democratic institutions and protecting human rights, democracies in some regions of the world are still fragile and their institutions are too weak to ensure effective governance. As indicated in the road map, the effort to promote and build democracies should begin by establishing fair and periodic elections, an independent judiciary, a transparent government and a vibrant civil society; states that respect the rights of all their citizens and allow them a say in decisions that affect their lives are likely to benefit from their creative energies and to provide the kind of economic and social environment that promotes sustainable development (see A/56/326, para. 205). Broadening partnerships between all stakeholders, such as civil society and the private sector, is also one of the main ingredients towards development and the eradication of poverty (ibid., para. 82).

A. Legislative institutions

13. One of the main preconditions for implementing the goals of the Millennium Declaration is for countries to have in place effective and transparent legislative bodies. Democracy and the rule of law presuppose capable legislatures that can adequately represent and articulate the demands of their constituencies, check the power of the executive through effective oversight and make consistent and coherent laws. To that end, the road map underscores that ensuring democracy requires good governance, which in turn depends on inclusive participation, transparency, accountability and the promotion of the rule of law. The first strategy outlined for moving forward in that direction is precisely to encourage States to develop and implement programmes that support pluralistic institutions, periodic elections and other democratic processes, in conformity with international human rights standards (see A/56/326, paras. 218 and 220).

14. According to the *World Public Sector Report, 2001*, parliaments are the main forum for reaching agreements and concrete solutions to compelling problems such as the eradication of poverty, improvement of health and education services, public security and administration of justice, as well as the fight against corruption. As is well known, in most developing countries parliamentary institutional capacities are severely constrained. In order to perform at their best, legislative bodies need to be functional, accountable, informed, independent and representative. In particular:

(a) They must be functional: they must allow for deliberation, decision-making and oversight through strong, representative committees and task forces; they must exchange information and perspectives with the executive, businesspersons in the private sector and representatives of civil society;

(b) They must be accountable: they must link in a responsible manner to the other branches of government and report to the public (the electorate);

(c) They must be informed: they must be informed to understand complex issues and determine the likely impact of proposed legislation; they must have the capacity to gather well-researched, correct and timely information, to analyse, organize relevant documents and retrieve such information, or to provide a link to sources and analyse the data for legislative purposes;

(d) They must be independent: they can and do initiate legislation, and accept, modify or reject proposals emanating from the executive and other stakeholders;

(e) They must be representative: they listen to and respond to the demands of the electorate (universal), as well as maintain continuous linkage with the electorate.

15. Strengthening legislative, representative and oversight institutions includes reinforcing both national and local government councils. The latter can exercise considerable legislative power in terms of debating policies, by-laws and ordinances, oversee actions of the local executive and represent the people in the local community. Furthermore, strengthening local electoral bodies can contribute directly to poverty reduction, the protection of the environment and the provision of services to the most vulnerable. Equally essential for a strong national legislative process is the maintenance of local offices where citizens can meet with legislators and their staff in order to make proposals, air their complaints and express views on pending legislative matters. It is in local rather than national legislative meetings that the voice of the people is most often heard. In meetings of neighbours, each and every voice can be expressed openly and proposals debated. When citizens and organizations have the opportunity to voice their needs and perspectives, they are more likely to participate in nation-building programmes and compromises.

16. Legislatures, like all organizations, require effective systems for human resources development, financial management and up-to-date information systems. The development of research capacities and the management of legislative proposals are also basic requirements of well-functioning legislative bodies. Sometimes, partisan offices, such as majority, minority or coalition offices, perform special legislative functions, such as interest articulation and interest aggregation. Those units contribute to the initiation, consideration, amending and passing of legislation.

17. Election institutions are responsible not only for voter registration and civic education but also for the many technical aspects of carrying out the balloting and counting processes. However, in countries where institutional capacities for management and administration of electoral processes are weak, elections have often resulted in civil strife, wars and political instability, thus undermining the democratic process that they are supposed to promote. Therefore, in order to promote a peaceful alternation in power, capacities for managing electoral processes should be strengthened.

B. Judicial institutions

18. The Declaration places particular emphasis on strengthening judicial systems and their role in upholding and protecting the rule of law. Many developing countries have weak judicial systems and are faced with situations where laws may be outmoded and out of tune with international norms or even out of tune with the culture and traditions of the countries themselves. It should be borne in mind that legal and judicial frameworks extend beyond national, modern and written systems. In many countries, there are customary laws that govern common interactions within society. Sometimes, there is no legal connection between formal and customary systems of jurisprudence. Often, where colonial powers have drawn arbitrary national boundaries, there are multiple customary legal systems operating within the same country. Furthermore, changes in colonial and post-colonial influences have resulted in multiple formal legal systems operating simultaneously. Although all countries need to sort out that conundrum of differing legal regimes, countries engaging in regional cooperation are under great pressure to harmonize their legal regimes. The optimal pragmatic position for law reforms and judicial reform is to ensure a compromise and complementarity between traditional/customary judicial systems and modern ways of administering justice, while at the same time championing harmonization of national, regional and international laws and conventions. In the context of globalization, no legal system should ignore the existence and significance of any other.

19. Reforming the administration of justice is crucial for minimizing the impunity that often leads to insecurity, injustice, corruption and abuse of public office and power, and discouragement of long-term investment. Further, lawlessness and weak judicial systems are not conducive to a favourable investment climate and development. In traditional societies, particular attention should be devoted to establishing alternative dispute resolution mechanisms which are more in line with local forms of justice. Countries that have committed themselves to implementing the Declaration must be supported in harmonizing their domestic laws with international obligations (see A/56/326, para. 20).

C. Central management agencies

20. The central management agencies of national Governments of Member States have a key dual role to play: they must be both directive and supportive. The central agencies are usually composed of ministries or agencies that support political decision-making (secretariat services to the cabinet or council of ministers) and manage planning, finance, public expenditure, personnel and real estate property. On the one hand, central agencies need to be directive through maintaining the overall management framework for government administration and coordinating the implementation of the policies of the Government of the day. On the other hand, the Declaration provides a special impetus for the central agencies to be supportive by empowering the line or operational ministries to achieve specific targets.

21. For attaining Declaration targets, the primary role of the central guidance function is to develop consensus on a vision, to formulate a long-term strategy in the identified sectors and to coordinate the implementation of that strategy administration-wide. That implies that the central agencies need to approach the line ministries as internal clients, to be assisted in implementing Declaration targets at the country level. That approach requires the agencies to put in place processes for consulting the line ministries before introducing new administrative and management policies or changes to existing ones. It also requires a shift in the mindset of the central clusters' staff from one of command-and-control to service-orientation in dealing with line ministries' staff. In carrying out both roles, the central agencies need to set up a new coordination mechanism or build into an existing one a process and system for monitoring and evaluating the implementation of specific Declaration goals. Those tasks, though seemingly straightforward, can be daunting in resource-poor countries and/or those with historically weak institutions. The central agencies in such countries need assistance in building up or reinforcing their capacity for directive and supportive action.

22. Although specific functions differ from country to country, those central guidance institutions usually set regulations for staffing, use of funds, care of facilities and material; represent executive institutions before courts of law; and guide day-to-day operations through long-term planning and immediate-term coordination. It is common for central guidance institutions to represent executive institutions before the legislature, as well as before the courts, thereby presenting a united front for the executive branch that can then be held accountable before the electorate. Although some assertive public institutions do not welcome the direction of the central guidance institutions, public servants and the public are well served by the consistency and stability provided by the rules and regulations emanating from central guidance institutions. The central guidance institutions also monitor the performance of the operational institutions, collecting and analysing data that can be used by institutions both to share innovations and identify weaknesses, as well as to encourage performance improvement programmes. From time to time, as conditions change, the central guidance institutions carry out reviews of the structures and functions of public institutions, often resulting in reorganization or restructuring of the operational institutions. Occasionally, institutional reviews are carried out on a proactive basis in order to position government for future challenges.

23. Likewise, central guidance institutions often review the operations of local administrations and local member States. Although an institution responsible for supervision of local government, such as "internal affairs, interior or local government", generally carries out day-to-day supervision of government activities at the grass-roots level, the central guidance cluster can enter the "local" arena if there are strategic reasons to do so, either because of malfeasance or because of emerging challenges.

D. Public sector management and innovation

24. The functions and role of the state have been transformed substantially. The general configuration of its responsibilities has changed, which has introduced important modifications both in the policy arena and in the state's requirements for high-level skills, qualitatively and quantitatively. Overall, the role of the state has shifted, in varying degrees, from controlling the economy to steering it, from the direct production of goods and services to the provision of an enabling environment for economic development and the promotion of an enabling framework for private enterprise and individual initiative. At the same time, a

number of tasks and functions that were traditionally handled by national Governments are now being increasingly transferred to the local level and to the intergovernmental or supranational levels. As a consequence, the role of the public sector is changing in response to pressures from a number of stakeholders. Citizens are demanding enhanced integrity and accountability of government actions; the private sector is urging for the creation of a sound market environment and regulatory framework; and supranational and global institutions are demanding greater national compliance with global standards. In the light of the above, the public sector needs to adapt its capacities and skills to cope with twin challenges — how to effectively respond to citizens' growing demands and at the same time cope with the requirements of the global economy.

25. As forcefully stated in the road map, the achievement of the millennium development goals depends upon a well functioning public sector. In particular, the road map underscores the relationship between public sector management and the goal of poverty reduction. It underlines that strategies for moving forward in halving by the year 2015, the proportion of the world's population whose income is less than one dollar a day and the proportion of people who suffer from hunger, include (a) ensuring support for country-led economic and social initiatives that focus on poverty reduction, (b) strengthening capabilities to provide basic social services, and (c) assisting capacity-building for poverty assessment, monitoring and planning (see A/56/326, paras. 86, 108, 119 and 121).

26. Public institutions embody the public interest, and they serve as the repository of the public's aspirations for the future and the means of implementing and attaining those aspirations. Performance-based organizational programmes can improve effectiveness (getting the real job done), efficiency (reducing costs) and productivity (getting the real job done at least cost), through such strategies as performance measurement, benchmarking to exemplary standards, and the introduction of quality and incentive programmes.

27. Coordination among public sector institutions is essential in achieving Declaration targets. The state is the linchpin or hub of activities connecting partners and stakeholders. It is essential that central agencies be assisted in introducing and maintaining effective inter-agency and inter-ministerial cooperation. A multitude of organizational and administrative tasks need to be carried out in communicating with and obtaining the cooperation of all ministries. The central agencies also need a robust common information management system, whether computerized or manual, for tracking the overall progress of policy and programme implementation, evaluating the performance of line ministries, providing input into political decision-making and managing accountability of resources utilized.

28. Public institutions and the public itself cannot know how well institutions are operating unless there is regular, thorough and transparent assessment of government operations. Such assessment involves up-front investment in data collection, measurement tools and mechanisms for analysing information, as well as an organizational culture of sharing information among institutions. Although formative internal evaluations are useful for performance improvement, inter-institutional evaluation serves as a safeguard against potential abuse of power. As much as possible, operational and performance data should be archived for the purposes of evaluation, training and organizational learning.

E. Decentralization and local governance

29. As part of the democratization process, decentralization, which involves a shift of some or all responsibilities from a central government to local administrations and/or local governments, has been promoted to varying degrees and with varying outcomes in different countries. Conditions for its success include capable national Governments to prompt, initiate, monitor and guide the process of political and financial decentralization, as well as the creation of an adequate financial resource base for local governments to function properly. The success of decentralization reforms also depends on consistent and coherent national policies, sound legislative and regulatory frameworks for decentralization, and effective review mechanisms to solve disputes between central and local government. Not all countries have opted to run public affairs through decentralized governance structures and systems; however, there are many that have promoted decentralization as a way to strengthen democracy, accountability, people-centred economic development and citizens' empowerment.

30. The delegation of functions to local governments requires significant capacity for policy development and implementation. Scarcity of capacity at the local level is a continuing issue for late-developing countries. Often inefficient management occurs at both the national and local levels because accountability systems are weak or non-existent. Thus, decentralization requires strategies not only for adequately resourcing local governments/entities but also for holding local public institutions accountable for programme operations and outcomes that they must achieve in the framework of the national development strategy. A strong centre, with a relevant enabling environment, is also an essential prerequisite for meaningful and effective decentralization.

31. The road map makes specific reference to decentralization and urban dwellers, but many of the same issues apply to all local communities, both urban and rural. For instance, in order to achieve by 2020 a significant improvement in the lives of at least 100 million slum dwellers, actions to move forward include (a) ensuring support from the international community for the provision of basic social services, such as safe water and sanitation, to the urban poor, (b) ensuring the development of integrated and participatory approaches to urban environmental planning and management, and (c) ensuring good urban governance and planning by forging public-private partnerships (see A/56/326, paras. 121 and 206).

F. Public participation and partnerships

32. The road map places high priority on the establishment of mechanisms that allow citizens to voice their demands and be active partners in all stages of policy decision, implementation and evaluation. Partnerships are a very important instrument for fostering a more participatory approach to governance, but in order for people to actively be engaged and participate in the public arena they must have minimum levels of education. People can best participate when they can read, write and understand political discourse, when they can engage in social interaction on an equal basis, and when they can initiate and maintain economic and social activities. Literacy and understanding contribute to the ability to vote in political elections, read laws, policies and reports, and share ideas and perspectives.

33. Civil society empowerment encourages diversity of views, the sharing of individual and organizational responsibility, learning-focused strategies, and the advancement of formal leaders who serve as stewards of their societies. Meaningful involvement includes, from most passive to most active, (a) awareness of current conditions and future orientations, (b) participation in social, political and economic activities, and (c) initiative in developing policy programmes for the future. With awareness, participation and initiative, citizens can influence their surroundings and contribute to its development. Opportunities for civil society involvement include both interest group politics and consultative institutions, such as policy conferences. leadership summit meetings and community consultations. The empowerment of civil society further entails the facilitation and encouragement of civil society organizations as platforms for individual participation in policy dialogues, and access to means of communicating views and perspectives. Civil society organizations institutionalize and give voice to public concerns. Under optimal governance conditions, public institutions welcome initiatives and feedback from citizens, and respond actively to expressed needs and viewpoints. Although lively public dialogue can be time-consuming, the agreement and commitment that results from that exercise often leads to greater sustainability of public policies and programmes. Public dialogue can be an investment in social cohesion and dynamic economic development.

34. Participatory governance training is an effective way to energize a society for achieving shared goals. For example, multi-organizational and multi-level governance training that involves not only local government officials and staff but also citizen-constituents and representatives of central government encourages local governance. Effective capacity-building of local government can best be achieved by recognizing key elements of the context and integrating that context into the training, that is, learning the skills of communication, coordination and interaction between local government, citizens and representatives of line ministries.

G. Institutional instruments of peace and security

35. It is increasingly being recognized that most of the violent conflicts that have unsettled the world and curtailed efforts for development are a consequence of failures in governance and public administration systems. The Declaration stresses that peace and security are achieved not only through short-term conflict prevention but also and especially through long-term governance and development efforts. Although efforts to stop violence where it has erupted are necessary, governance institutions should have the requisite institutional and human capacities to foresee possible sources of violent conflict and attempt to avert them.

36. Democratic governance institutions contribute to stability and peace by creating mechanisms and processes to resolve disputes, share perspectives and balance competing societal interests. Conflict prevention implies institution-building or creating institutions that ensure the peaceful coexistence of all social forces within a given polity. Only by creating strong institutions that are able to mediate and channel diversity and conflict can there be lasting peace. The most important measure in that respect is to foster institutions and mechanisms that promote non-exclusionary politics. The rules of the game should ensure that no active political force is excluded from governing, and that everybody agrees upon the basic rules of governance a priori, which implies creating institutions that are able to reconcile differences arising from strong social and political cleavages. Particular attention should also be devoted to establishing courts of justice that are perceived as legitimate by all social actors.

37. The actual eruption of destructive conflict depends largely upon the degree to which national and local leaderships and institutions of governance have the capacity to manage tensions, such as ethnic/religious differences and selective marginalization or exclusion, before they deteriorate into violence. The goal of conflict prevention is not to prevent conflict per se but rather to prevent the mismanagement of a situation of conflict so that it causes or results in violence, repression, institutional maladministration or structural injustice. Effective management of conflict aims not only to prevent or limit negative consequences of violence, exclusion or disaffection but also to generate positive outcomes that can result from the synergy of competing viewpoints, from consensus-building around divisive issues, from joint problem-solving and ultimately from the transformation of antagonistic dynamics between conflicting communities into tolerant relationships that can empower communities to develop peacefully and sustainably.

38. Equally in stable and non-violent situations, conflict management principles and concepts constitute an essential element in the everyday work of Governments. Infusing conflict analysis and management techniques into internal and external, governance practices can help government administrators to improve decision-making and coordination among ministries, resolve policy issues between branches of government, and smooth out implementation problems among tiers of government and with civil society. Improving conflict management skills will also assist government officials in enhancing their communications and manage negotiations with civil society, organized labour and the private sector, as well as with bilateral donors and intergovernmental agencies. A two-pronged approach needs to place special emphasis on strengthening conflict-mitigating institutions, such as ombudsman institutions, minority commissions, national and local mediation centres, human rights offices, contemporary and traditional judicial systems, alternative dispute resolution systems, and the educational institutions which train human resources for all of the above. In addition, conflict management skills and sensitivity need to be infused broadly into the policies and programmes of all government offices, both internally and in their interface with the public.

39. In post-violence situations, the re-establishment of public administration and governance systems is a sine qua non on which to build sustainable peace. The central challenge is that government institutions, which are among the first to disintegrate in violent conflict, must often be rebuilt from disarray, and moreover in ways that do not recreate the former conditions in which the seeds of conflict were sown. Violent conflict results in part from a failure of government to manage competing interests in ways acceptable to their civil society. Thus, the re-establishment of governance systems must embody structures, institutions and a balance of powers to ensure that conflicts are managed

sufficiently so that competing social groups do not become so disaffected as to resort to violence again

40. In the aftermath of violent conflict, the restoration of security and the rule of law, the delivery of basic services, effective coordination, the training of human resources, the formulation and implementation of equitable development strategies and the empowerment of civil society and the private sector are among Governments' most daunting tasks. But, first and foremost, the challenge is to restore social capital and co-create, with civil society, a framework for social integration and sustainable peace. A key role that the United Nations can play in the reconstruction of administrative systems is in the formulation of governance policies and strategies that reverse polarization, lessen exclusion and promote reconciliation in order to transform the conditions that led to violence into those that will underpin the peaceful management of conflict and coexistence.

III. Supporting institutional capacity development to meet the special needs of Africa

41. Although it may be argued that African countries require the same institutional capacity development support as mentioned above, it must be recognized that the situation of those countries in terms of poverty and development requires special attention; indeed, the road map aspires to take special measures to address the challenges of poverty eradication and sustainable development in Africa. Despite substantial progress over the last decade, democratic institutions and practices remain fragile in many African countries. Public administrations have a critical and multidimensional role to play in consolidating legislative, judicial, administrative and economic management institutions, among others. The efforts made by African leaders to develop a region-wide development policy framework, such as the New Partnership for Africa's Development, should receive special support from the United Nations system.

42. Although it is not possible to make generalizations about the whole continent, there are some key governance areas that deserve particular attention, including:

(a) Strengthening strategic planning, central guidance and coordination among governance institutions;

(b) Developing conflict-management institutions;

(c) Reinforcing local government;

(d) Ensuring the adherence to the rule of law by strengthening the legislative process and the judiciary, and by empowering civil society;

(e) Developing leadership skills for envisioning, strategizing and guiding Africa's development within the global arena.

IV. Recommendations

43. **In the light of the above, it seems that normative activities and technical cooperation efforts should:**

(a) Support Member States in strengthening and institutionalizing democratic elections and parliamentary and electoral systems and processes by developing electoral management institutions and mechanisms, reinforcing the organization and management of legislative bodies at the national and local levels, articulating a system of legislative offices at the constituency level, and fostering participatory dialogues that facilitate communication between the electorate and their representatives about policy initiatives and proposed legislation;

(b) Assist Member States in strengthening their judicial institutions at both the national and local levels, by harmonizing legal regimes within the country and with regional and international legal standards and practices, linking the appeal of local decisions to national appeals processes, developing and/or strengthening informal mechanisms to deal with disputes through mediation, conciliation and arbitration, and making legal texts, norms and regulations accessible to all people by ensuring, among other things, that they are translated into all relevant languages, using plain words;

(c) Support governmental central guidance institutions by strengthening their ability to plan, strategize, coordinate and monitor national policy to reduce poverty and deliver services, articulating planning systems that link national and local

planning mechanisms, with full citizen participation at all levels, and defining clear responsibilities and coordinating mechanisms among executive and legislative branches;

(d) Support Member States in their efforts to modernize their public sector and to improve their public service delivery by benefiting from other South-South innovative experiences;

(e) Assist Member States in developing a reliable and transparent evaluation system by improving mechanisms for the collection, analysis and reporting of operational and performance data and by developing management information systems for sharing information among public institutions and with the public, including archival, recent and real-time information;

(f) Support Member States in reinforcing the decentralization process and local governments' institutional capacities by developing a clear vision for the future based on a comprehensive strategy for poverty reduction and sustainable development, ensuring a clear distribution of tasks, roles and responsibilities and an equitable repartition of finances and human resources between central and local governments, strengthening fair and transparent accountability systems and procedures at all levels, promoting an enabling environment for citizen participation and establishing mechanisms for the resolution of disputes arising between central and local governments;

(g) Assist Member States in promoting participatory governance by reinforcing and institutionalizing the participation of and partnership with all stakeholders;

(h) Support Member States in developing and/or strengthening institutions and procedures for the peaceful management of conflicts, which can be best addressed by (i) infusing conflict-sensitive principles and practices into all aspects of governance, public administration and development, and (ii) formulating targeted interventions that specifically aim to develop national institutions and capacities for the management of conflicts and disputes;

(i) Provide support to African Governments, in close collaboration with regional bodies and institutions as well as international organizations, in their efforts to implement strategies for poverty eradication, by strengthening policy formulation and participative governance programmes, and by strengthening capacities for local governance, transparency and accountability, diversity and conflict management, civil service reform and leadership development.